



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

April 10, 2023

By ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *D.J.C.V., et al. v. United States of America*, No. 20 Civ. 5747 (PAE)

Dear Judge Engelmayer:

This Office represents defendant United States of America (the "Government") in the above-referenced action brought under the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671 *et seq.* With plaintiffs' consent, we write respectfully to request a two-week extension of time for the parties to submit a joint statement of undisputed facts and opening briefing on the jurisdictional issue, and a one-week extension of the deadline for responsive jurisdictional briefing. This request, if granted, would change the briefing dates as follows: the joint statement of undisputed facts, previously due by April 13, 2023, would be due by April 27, 2023, the parties' opening briefs, previously due by April 27, 2023, would be due by May 11, 2023; and the parties' responsive briefs, previously due by May 26, 2023, would be due by June 2, 2023.

The parties completed jurisdictional discovery on March 29, 2023. *See* ECF No. 166. At a March 27, 2023, status conference, the Court directed the parties to submit a joint statement of undisputed facts relating to the jurisdictional briefing by April 13, 2023, two weeks before the briefs on that issue are due. *See* Conference Tr. 40:19-21; ECF No. 163. Oral argument on the jurisdictional issue is set for June 6, 2023. ECF No. 168. Due to the press of business and counsel's schedules, however, the Government requires additional time to draft the joint statement of facts and brief the jurisdictional question. Accordingly, the Government respectfully requests a two-week extension of the time for its opening jurisdictional brief and the related statement of undisputed facts, and a one-week extension of the deadline for responsive jurisdictional briefing. This is the Government's first such request (though the briefing deadline was previously moved when the time for jurisdictional discovery was extended), and plaintiffs consent. The parties believe that the requested extension need not impact the June 6, 2023 oral argument date, but if the Court deems an adjournment advisable the parties will make themselves available on an agreeable date.

We thank the Court for its attention to this request.

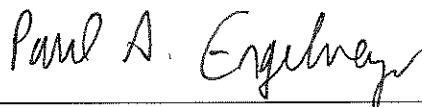
Respectfully,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Mollie Kornreich
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cc: Plaintiffs' counsel (by ECF)

Granted. The parties' joint statement of undisputed facts is due April 27, 2023. The parties' opening briefs are due May 11, 2023, and their responsive briefs are due June 2, 2023. The Court will contact the parties separately to reschedule oral argument, likely for a date the week of June 12, 2023. SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
April 10, 2023